



Order Filed on February 10, 2019  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Law Office of Michael P. Otto, LLC**

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Counsel for Debtor

In re Jose Lago,

Debtors.

Case No. 17-34933(JKS)

Hearing Date:

Judge: John K. Sherwood, U.S.B.J.

**ORDER APPROVING THE LOAN MODIFICATION OF THE FIRST MORTGAGE  
HELD BY BAYVIEW LOAN SERVICING, LLC**

The relief set forth on the following pages, numbered two (2) through 3 is hereby  
**ORDERED.**

**DATED: February 10, 2019**

A handwritten signature in dark ink, appearing to read "J K Sherwood", is written over a horizontal line.

Honorable John K. Sherwood  
United States Bankruptcy Court

In re: Jose Lago

Case No: 17-34933(JKS)

This matter having been opened to the Court by the Law Office of Michael P. Otto, LLC, attorneys for the Debtor, Jose Lago, Michael P. Otto, Esq. appearing, for an Order approving the loan modification of the first mortgage loan held by Bayview Loan Servicing; notice having been given to all creditors; all objections having been resolved; and for good cause shown;

**IT IS** hereby **ORDERED** as follows:

1. The Debtor's loan modification with Bayview Loan Servicing, LLC is hereby approved under the terms set forth in the Loan Modification Agreement.
2. In the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its Proof of Claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification.
3. The Chapter 13 Trustee shall suspend disbursements to secured creditor pending the completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated.
4. In the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor's attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to secured creditor.
5. In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the

provisions of the confirmed plan.

6. Debtors shall file an amended Schedule J and Modified Plan within twenty (20) days of this Order.
7. With respect to any post-petition orders, claims for post-petition mortgage arrears, and orders for creditor's attorney's fees which are being capitalized into the loan, secured creditor will amend any and all post-petition orders or claims within 30 days after completion of the loan modification.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Jose A Lago  
Debtor

Case No. 17-34933-JKS  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Feb 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 13, 2019.

db +Jose A Lago, 57 Delaware Street, Elizabeth, NJ 07206-1597

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 13, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 11, 2019 at the address(es) listed below:

Alexandra T. Garcia on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company NJECFMAIL@mwc-law.com, nj-ecfmail@ecf.courtdrive.com  
Denise E. Carlon on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Kevin Gordon McDonald on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Melissa S DiCerbo on behalf of Creditor Bayview Loan Servicing, LLC, a Delaware Limited Liability Company nj-ecfmail@mwc-law.com, nj-ecfmail@ecf.courtdrive.com  
Michael P. Otto on behalf of Debtor Jose A Lago motto@ottolawoffice.com  
Rebecca Ann Solarz on behalf of Creditor BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8